

## Trial Court Funding – Maintenance of Effort (MOE)

### DESCRIPTION OF MAJOR SERVICES

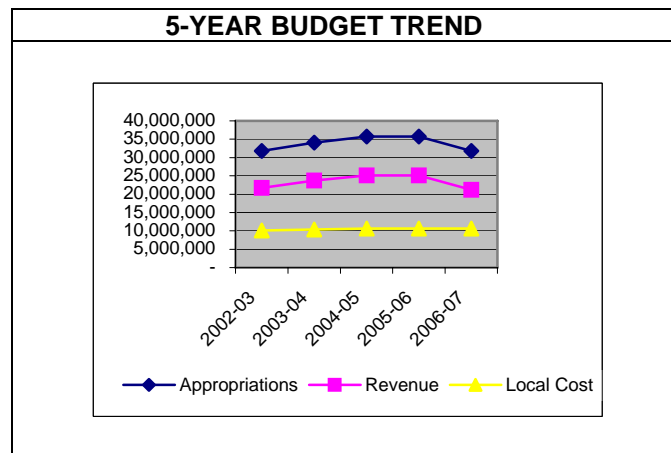
On January 1, 1998, AB233, the Lockyer – Isenberg Trial Court Funding Act of 1997 went into effect in the State of California. This bill fundamentally changed how the trial courts are funded by transferring primary responsibility for funding the courts to the state, including sole responsibility for funding future growth in court operations costs. In addition, it requires counties to make a capped maintenance of effort (MOE) payment to the state each year for operations of the courts. In return, the state allowed the counties to retain many fines and forfeitures to help fund their MOE payments with the provision that collections that exceed the amount of the revenue MOE be shared equally between the state and the county. Of the remaining one half of excess revenue retained by the county, 25% is transferred to the Courthouse Facility special revenue fund to assist with costs of the seismic retrofit/remodel of the central courthouse.

The county's historical MOE contribution of \$28,390,295 was made up of two components. The expenditure component of \$20,227,102 represented the adjusted 1994-95 county expenses for court operations and the revenue component of \$8,163,193 was based on the fine and forfeiture revenue sent to the state in 1994-95. The revenue component has been reduced to \$3,325,704 in 2006-07 due to legislation enacted in recent years. Therefore, the county's current MOE contribution is \$23,552,806.

Other legislation mandated that beginning in 2003-04, all California counties contribute an additional payment to the state toward court funding. The payment was intended to help the state during its budget crisis and was in lieu of the state taking counties' various undesignated revenues, which would be a much higher amount. San Bernardino County's share of the sweep was \$727,264 in 2005-06 and \$545,499 in 2006-07. This amount is expected to be reduced significantly in coming years; ending by 2009-10.

There is no staffing associated with this budget unit.

### BUDGET HISTORY

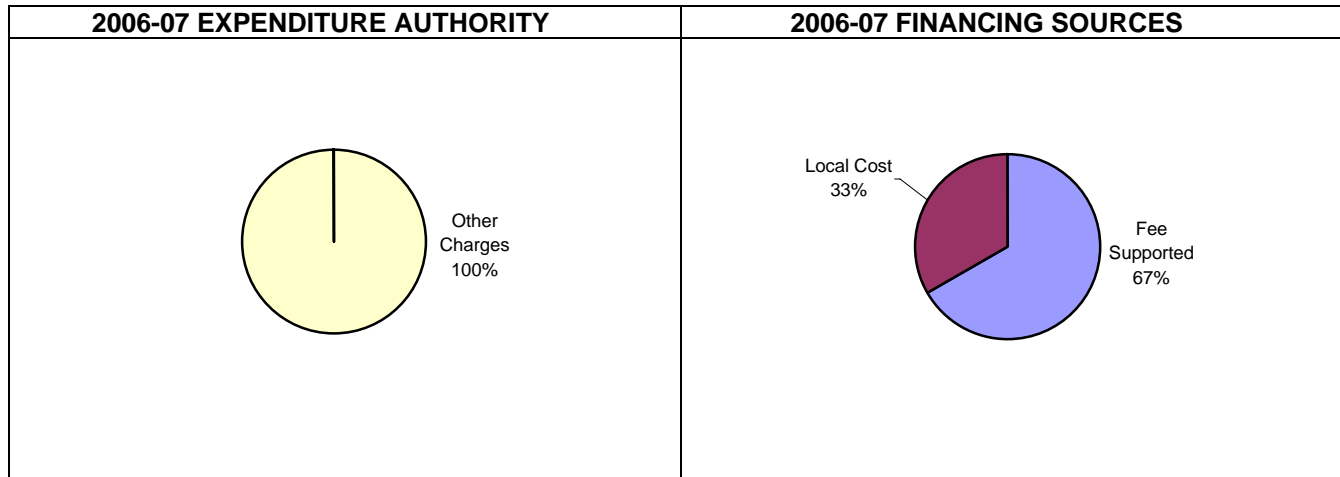


### PERFORMANCE HISTORY

	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Modified Budget	2005-06 Actual
Appropriation	33,759,418	36,063,535	35,890,577	35,725,112	31,973,487
Departmental Revenue	26,850,202	28,763,962	28,238,674	25,098,622	23,955,215
Local Cost	6,909,216	7,299,573	7,651,903	10,626,490	8,018,272



## ANALYSIS OF FINAL BUDGET



GROUP: Administrative/Executive  
 DEPARTMENT: Trial Court Funding -Maintenance of Effort  
 FUND: General

BUDGET UNIT: AAA TRC  
 FUNCTION: Public Protection  
 ACTIVITY: Judicial

	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2005-06 Final Budget	2006-07 Final Budget	Change From 2005-06 Final Budget
<b><u>Appropriation</u></b>							
Other Charges	32,685,594	34,755,850	34,617,482	30,498,334	34,525,112	30,532,490	(3,992,622)
Total Appropriation	32,685,594	34,755,850	34,617,482	30,498,334	34,525,112	30,532,490	(3,992,622)
Operating Transfers Out	1,073,824	1,307,685	1,273,095	1,475,153	1,200,000	1,250,000	50,000
Total Requirements	33,759,418	36,063,535	35,890,577	31,973,487	35,725,112	31,782,490	(3,942,622)
<b><u>Departmental Revenue</u></b>							
Fines and Forfeitures	8,150,277	7,953,555	8,213,531	9,756,309	7,280,000	8,412,500	1,132,500
State, Fed or Gov't Aid	(311,286)	-	-	-	-	-	-
Current Services	19,011,211	20,810,407	20,025,143	14,198,906	17,818,622	12,743,500	(5,075,122)
Total Revenue	26,850,202	28,763,962	28,238,674	23,955,215	25,098,622	21,156,000	(3,942,622)
Local Cost	6,909,216	7,299,573	7,651,903	8,018,272	10,626,490	10,626,490	-

Transfer of revenue to the Courthouse Facility special revenue fund will increase from \$1,200,000 to \$1,250,000.

Other charges is reduced by \$3.9 million due to several legislative changes. The revenue Maintenance of Effort is reduced to partially offset civil assessment revenue and other revenues that now go to the state. Additionally, the payment to the state for the sweep of undesignated revenue is reduced by \$182,000 from the 2005-06 Final Budget. Corresponding changes to revenue are shown in the Change From 2005-06 Final Budget.

## FINAL BUDGET CHANGES

There are no final budget changes associated with this budget unit.

